

Microdistillery Licensing Guide

The Kansas Department of Agriculture is devoted to the total support of agriculture in Kansas. While we must fulfill our statutory obligations, the department is dedicated to providing support and assistance to make Kansas farms, ranches and agribusinesses successful and help them grow if that is their desire. We also work each day to encourage more farms, ranches and other agriculture business to expand in or relocate to Kansas. This checklist will help guide you through various resources and requirements for opening and operating a typical Kansas microdistillery. In addition to license requirements by the Kansas Department of Agriculture, other Kansas agencies as well as local or federal government agencies may have regulatory requirements to follow. Contact your local planning authority to ensure you follow all local business development laws, rules, regulations and guidelines. This guide is designed to make it easier for you as you work to build and operate a successful microdistillery in Kansas.

| ✓ | Department | Description | Renewal |
|---|---------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| | Kansas Small Business Development Center (KSBDC)* | The KSBDC is a network of service centers located throughout Kansas offering business consulting to small businesses. Call 800-452-6727 for more information. | Prior to starting |
| | Kansas Business Center* | The Kansas Business Center is a resource for information, filings, and personal assistance to start or maintain a Kansas business. Call 877-521-8600 for more details. | Prior to starting |
| | Office of the Secretary of State | Complete the appropriate filings and forms for a business entity required by the Kansas Secretary of State. Call 785-296-4564 for more information. | Prior to starting |
| | Department of Revenue | Visit the Department of Revenue website to find important business tax information . Call 785-368-8222 for more information. | Prior to starting |
| | Office of the State Fire Marshall (OSFM) | OSFM may need to approve the building for Life Safety Compliance. To determine all requirements, call 785-296-3401 and ask for the Prevention Division. | Prior to starting |
| | U.S. Food and Drug Administration (FDA) | Owners, operators, or agents in charge of domestic or foreign facilities that manufacture/ process, pack, or hold food for consumption, including alcoholic beverages, in the United States are required to register the facility with the FDA. Login and create an account to register a food facility . | Prior to starting |
| | Department of Agriculture, Food Safety & Lodging | Complete the Food Processing or Storage Application . Contact the Food Safety and Lodging Program at 785-564-6767 or FSL@kda.ks.gov for more information. | Prior to opening, April 1 |
| | Department of Agriculture, Weights and Measures | No license is needed from Weights and Measures, but a microdistillery with scales must hire a licensed service company to test the scales once annually if the scales are utilized for any commercial transaction. Visit the Weights & Measures website for more information, or call 785-564-6683. | Annual service |
| | K-State Research and Extension, Kansas Value Added Foods Lab* | The lab staff offers food-related businesses, processors and entrepreneurs numerous services . For the full list of services and pricing refer to the Fees and Information (Kansas only). Call 785-532-1668 or email kvaf@ksu.edu for more information. | For each new product |
| | Department of Agriculture, Agricultural Marketing, Advocacy and Outreach* | <i>From the Land of Kansas</i> is a voluntary trademark program that helps promote and identify Kansas agricultural products to consumers. Register the microdistillery for membership with <i>From the Land of Kansas</i> . For more information, visit From the Land of Kansas online, or call 785-564-6759. | Annual Renewal |
| | Kansas Department of Revenue, Alcoholic Beverage Control (ABC) | Microdistilleries should consult the Microdistillery License webpage for information and application forms. Review the Handbook for Microdistilleries and Microdistillery Activities and Applicable Taxes flowchart for microdistillery-specific information. For more information, contact ABC at 785-296-7015. | Prior to opening, Biannual Renewal |
| | U.S. Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau (TTB) | Microdistilleries should complete the TTB Brewer's Notice . Complete the Alcohol Dealer Registration prior to application with the Kansas Department of Revenue, Alcoholic Beverage Control. Consult the TTB website for more information and requirements, or to apply online . | Prior to opening, July 1 if change in business |

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** Indicates that the information listed is merely a useful resource and not a requirement for operating the business*

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| | Department of Agriculture, Agricultural Commodities Assurance Program (ACAP) | The sale of commercial feed in Kansas requires a commercial license for each manufacturing facility located in the state. An exemption exists for distiller's wet grains consisting of more than 60% water. Review the Distiller's Wet Grains Exemption Information Sheet for details on how to obtain the exemption. For more information, contact ACAP at 785-564-6685. | Prior to the sale of feed |
| | Department of Health and Environment, Bureau of Waste Management | Facilities producing specialized organic waste may compost or apply this material to the land. Composting facilities less than one-half acre must register with KDHE, and facilities greater than one-half acre must obtain a permit . A permit must also be obtained to apply organic waste to land. For more information, review the KDHE Solid Waste webpage, or call 785-296-1121. | Prior to composting or land application |

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